

NAYS—None.

By consent Senator Simkins made the following report:

COMMITTEE ROOM,

Austin, March 18, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Constitutional Amendments, to whom was referred

House joint resolution No. 1, being a joint resolution to amend section 11 of article 16 of the Constitution so as to fix legal rates of interest at six per cent. and conventurate rate at not exceeding ten per cent.

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass,

SIMKINS, Chairman.

Senate Substitute bills Nos. 8 and 13 read a third time and passed by the following vote:

YEAS—23.

Atlee,	Classcock,	Potter,
Burney,	Harrison,	Simkins,
Clemens,	Johnson,	Sims,
Crane,	Kearby,	Stephens,
Cranford,	Kimbrough,	Tyler,
Finch,	Maetze,	Weisiger,
Frank,	McKinney,	Whatley.
Garwood,	Page,	

NAYS—None.

Senator Johnson moved to adjourn to 10 a. m. tomorrow.

Adopted.

FIFTY-SIXTH DAY.

SENATE CHAMBER,
TWENTY-SECOND LEGISLATURE,
Austin, Texas, March 19, 1891.

The Senate met pursuant to adjournment.

Lieutenant-Governor Pendleton in the chair.

Roll called.

Quorum present.

The following Senators answering to their names:

PRESENT—28.

Atlee,	Glasscock,	Page,
Burney,	Harrison,	Pope,
Carter,	Johnson,	Potter,
Clark,	Kearby,	Simkins,
Clemens,	Kimbrough,	Sims,
Crane,	Lubbock,	Stephens,
Cranford,	McKinney,	Tyler,
Finch,	Maetze,	Weisiger,
Frank,	Mott,	Whatley.
Garwood,		

ABSENT—None.

Prayer by the Rev. Dr. Morrison of Atlanta, Ga.

Pending the reading of the journal on motion of Senator Tyler, the further reading of the same was dispensed with.

The following reports were handed in from committee on Engrossed Bills:

COMMITTEE ROOM,

Austin, March 18, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate bill No. 92, being "An act to authorize towns and villages incorporated for free school purposes only to levy taxes and issue bonds for free school purposes,"

And find the same correctly engrossed.

CARTER, Chairman.

COMMITTEE ROOM,

Austin, March 19, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed bills have carefully examined and compared

Senate bill No. 335, being "An act to regulate voting in cities and towns of five thousand inhabitants or more,"

And find the same correctly engrossed.

CARTER, Chairman.

COMMITTEE ROOM,

Austin, March 19, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate Joint Resolution No. 9, being a joint resolution setting apart a portion of the State cemetery for the interment of the Confederate dead

And find the same correctly engrossed.

CARTER, Chairman.

A message was received from His Excellency the Governor, containing appointments of notaries public in sundry counties.

The chair gave notice of signing and signed in presence of the Senate,

House bill No. 15, entitled "An act to incorporate the city of Austin and give it a new charter."

Senator Kimbrough asked unanimous consent to postpone pending business and take up,

Senate bill No. 335, entitled "An act

to regulate voting in cities and towns of five thousand inhabitants or more."

Which was granted and bill read third time.

Senator Kimbrough offered the following amendment:

Amend section 1, line 3, by striking out the word "five" between the words "of" and "thousand" and insert the word "ten;" also strike out the word "affidavit" in lines 8 and 9, and insert the word "oath."

Adopted.

The bill finally passed by the following vote:

YEAS—26.

Burney.	Harrison, .	Pope,
Carter,	Johnson,	Potter,
Clark,	Kearby,	Simkins,
Clemens,	Kimbrough,	Sims,
Crane,	Lubbock,	Stephens,
Finch,	Maetze,	Tyler,
Frank,	McKinney,	Weisiger.
Garwood,	Mott,	Whatley.
Glasscock,	Page,	

NAYS—1.

Cranford.

Senator Stephens asked and obtained unanimous consent to take up Senate bill No. 193, entitled "An act to prescribe the times for holding the terms of the district court in the forty-seventh judicial district of Texas and to repeal all laws and parts of laws in conflict therewith."

The House amendments were read as follows:

Strike out all of lines 16, 17, 18 and 19, page 1.

Strike out "counties" in line 13, page 2, and insert "county."

Strike out "and Castro are" in line 14, page 2, and insert the word "is" in lieu thereof.

Strike out "Hockley, Cochran" in lines 16 and 17, page 2.

Insert between lines 19 and 20, page 2, the following: "The unorganized county of Castro is hereby attached to Oldham county for judicial purposes."

And the Senate concurred in the same.

Senator Carter moved to postpone pending business and take up out of its regular order Senate bill No. 286.

Lost.

ORDER OF THE DAY.

House bill No. 275, entitled "An act to regulate rates of charges to be made by express companies for the transportation and delivery of all such articles of freight, money, papers and packages of any kind, to require such express companies to re-

ceive and promptly deliver the same and to make all such express companies subject to the control and regulation of the railroad commission of Texas, and to prescribe penalties for the violation of this act."

Taken up and read second time with a favorable committee report.

Senator Frank offered the following amendment:

Amend section 1 by inserting between the words "deliver" and "every," in line 2, page 2, the following:

"At the express office nearest destination."

Adopted.

Senator Frank offered the following amendment:

Amend caption by striking out, in line 2, the words "and delivery," and amend the caption by inserting between the words "same" and "and," in line 4, the following:

"At the express office nearest destination."

Adopted.

Senator Frank offered the following amendment:

Amend section 2, page 2, by inserting between the words "charged" and "and," in line 14, the word "for."

Adopted.

Senator Frank offered the following amendments:

Amend committee report by striking out the words "and delivery" in line 2.

Also

Amend committee report by inserting after the word "same" in line 4, the following: "at the express office nearest destination."

Adopted.

The bill was passed to a third reading.

Senator Clemens moved to suspend the constitutional rule requiring a bill to be read on three several days and that the bill be put upon its third reading and final passage.

Adopted by the following vote:

YEAS—27.

Atlee,	Glasscock,	Page,
Burney,	Harrison,	Pope,
Clark,	Johnson,	Potter,
Clemens,	Kearby,	Simkins,
Crane,	Kimbrough,	Sims,
Cranford,	Lubbock,	Stephens,
Finch,	Maetze,	Tyler,
Frank,	McKinney,	Whatley,
Garwood,	Mott,	Weisiger.

NAYS—None.

Bill read third time and passed by the following vote:

YEAS—27.

Atlee,	Glasscock,	Page,
Burney,	Harrison,	Pope,
Clark,	Johnson,	Potter,
Clemens,	Kearby,	Simkins,
Crane,	Kimbrough,	Sims,
Cranford,	Lubbock,	Stephens,
Finch,	Maetze,	Tyler,
Frank,	McKinney,	Weisiger,
Garwood,	Mott,	Whatley.

NAYS—None.

Senator Tyler moved to postpone pending business and take up out of its regular order House Joint resolution No. 12, to amend section 20, article 16 of the constitution of the State of Texas.

Adopted and resolution read second time with the following committee amendment:

Amend by striking out after "State" in line 11, at the next general election and insert in lieu thereof "on the second Tuesday in August A. D. 1891," approved March 12, 1891.

The committee amendment was adopted.

The resolution was passed to a third reading.

The following privileged reports were handed in:

COMMITTEE ROOM,
Austin, March 19, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared

Substitute Senate bills Nos. 19 and 132, being "An act to amend an act entitled an act to amend article 4256 of the revised statutes of the State of Texas, approved April 14, 1882, and to amend section 9, chapter 70 of the acts of the Eighteenth Legislature, approved April 10, 1883,"

And find the same correctly engrossed.

CARTER, Chairman.

COMMITTEE ROOM,
Austin, March 19, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate bill No. 236, being "An act to extend the time in which lands that have been sold to the state for taxes may be redeemed by the owners thereof,"

And find the same correctly engrossed.

CARTER, Chairman.

By consent, Senator Simkins presented the following report:

COMMITTEE ROOM,
Austin, March 19, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Constitutional Amendments, to whom was referred

House joint resolution No. 11, being a joint resolution to require the payment of poll tax before exercising the right of suffrage.

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

SIMKINS, Chairman.

Senator Maetze moved to postpone pending business and take up out of its regular order Senate bill No. 185, entitled "An act to amend chapter 2, title 7, of the criminal code of the State of Texas by adding thereto article 187a, limiting the operations of said chapter 2, to the hours between the hour of 9 a. m. and the hour of 4 p. m.

Adopted and bill taken up and read third time.

Senator Finch addressed the Senate against the passage of the bill.

Senator Burney moved the previous question, which was ordered.

On the passage of the bill the following vote was taken:

YEAS—13.

Atlee,	Glasscock,	Mott,
Burney,	Harrison,	Pope,
Clark,	Lubbock,	Tyler,
Clemens,	Maetze,	Weisiger.
Garwood,		

NAYS—13.

Carter,	Kearby,	Simkins,
Crane,	McKinney,	Stephens,
Cranford,	Potter,	Sims,
Finch,	Page,	Whatley.
Frank,		

There being a tie the president voted aye and the bill passed.

Senator Page moved to postpone pending business and take up all joint resolutions.

Adopted.

Joint Resolution No. 3, amending article 16, section 11 of the Constitution of the State of Texas.

Read second time with the following committee amendment.

Amend section 2 by striking out all

after the word "words" and insert the following:

For amendment to section 11, article 16, prescribing a lower rate of interest, and all voters opposed to said amendment shall write or have printed on their ballots the words, "Against the amendment to section 11, article 16, prescribing a lower rate of interest."

On motion of Senator Page further consideration of the resolution was suspended temporarily.

House Joint Resolution No. 11 amending article 6, section 2, of the Constitution of the State of Texas, relating to suffrage.

Taken up and read second time with a favorable committee report.

Senator Atlee offered the following amendment:

Provided the declaration of intention shall have been made at least one year next preceding the election at which he offers to vote.

Senator Burney offered the following substitute for the amendment:

Amend section 2 by striking out all after the word "elector" in line 24, section 1, down to and including the word "elector" in line 3 on page 2.

Which was lost by the following vote:

YEAS—11.

Burney,	Glasscock,	Potter.
Carter,	Kimbrough,	Simkins,
Finch,	Lubbock.	Stephens.
Frank,	Page,	

NAYS—17.

Atlee,	Harrison,	Pope,
Clark,	Johnson,	Sims,
Clemens,	Kearby,	Tyler,
Crane,	Maetze,	Weisiger.
Cranford,	McKinney,	Whatley.
Garwood,	Mott,	

Senator Burney offered the following amendment to the amendment of Senator Atlee:

Amend amendment by adding: Provided further that after he has lived a sufficient time in the State to entitle him to his final naturalization papers, he shall no longer be a qualified elector on his declaration of intention.

Adopted by the following vote:

YEAS—22.

Atlee,	Frank,	Page.
Burney,	Glasscock,	Pope.
Carter,	Kearby,	Potter.
Clark,	Kimbrough.	Simkins.
Clemens,	Lubbock,	Sims.
Crane,	McKinney,	Stephens.
Cranford,	Mott,	Whatley.
Finch,		

NAYS—5.

Garwood,	Johnson,	Tyler.
Harrison,	Maetze.	

The amendment as amended was adopted.

Senator Johnson offered the following amendment:

Amend by striking out the part in parenthesis and insert in lieu thereof: (And who shall have paid the poll tax due by him to the state for the year previous to such election: And, provided, that such tax shall have been paid during the year for which the same was levied, proof of which shall be made in the manner prescribed by law.)

Adopted.

Senator Stephens offered the following amendment:

Amend by striking out all the language after the word "vote" in line 18, down to and including the word "law," in line 23.

Senator Simkins moved to postpone the pending business and have the resolution printed in the Journal of today.

Adopted.

And House Joint resolution Resolution is as follows:

JOINT RESOLUTION.

Amend article 6, section 2 of the Constitution of the State of Texas relating to suffrage:

Section 1. Be it resolved by the Legislature of the State of Texas, that section 2, article 6 of the Constitution of the State of Texas be amended so as to hereafter read as follows:

Section 2. Every male person subject to none of the foregoing disqualifications, who shall have attained the age of 21 years, and who shall be a citizen of the United States, and who shall have resided in this State one year, next preceding an election, and the last six months within the district or county in which he appears to vote, and who shall have paid all poll taxes for which he may be subject as the legislature may provide, proof of which shall be made in such manner as may be prescribed by law) shall be deemed a qualified elector; and every male person of foreign birth subject to none of the foregoing disqualifications, who, at any time before an election, shall have declared his intention to become a citizen of the United States, in accordance with the Federal naturalization laws, and shall have resided in this State one year next preceding such election, and the last six

months in the county in which he offers to vote, shall also be deemed a qualified elector; and all electors shall vote in the election precinct of their residence. Provided, That electors living in any organized county, may vote at any election precinct in the county to which such county is attached for judicial purposes.

Section 3. The foregoing Constitutional amendment shall be submitted to a vote of the qualified electors of the State of Texas to be held for that purpose on the second Tuesday in August, A. D. 1891. All voters in favor of said amendment shall have written or printed on their ballots the words: For the amendment to article 6, section 2, of the Constitution; those against said amendment shall have written or printed on their ballots the words: Against the amendment to article 6, section 2, of the Constitution.

The Governor of the State of Texas is hereby directed to issue the necessary proclamation for said election, and have the same published as required by the Constitution and existing laws of this State.

Senator Frank asked and obtained unanimous consent to introduce the following bill:

A bill to be entitled an act to validate the corporate existence of certain cities and towns in Texas and to validate certain acts done and performed by such cities and towns.

Read first time and referred to committee on Incorporated Cities and towns.

Senator Carter moved to postpone pending business and take up out of its regular order Senate bill No. 286, entitled "An act to be entitled an act to amend article 4470, chapter 2, title 88, of the Revised Civil Statutes of the state of Texas, increasing the salary of district judges.

Bill read second time with the following committee amendment:

Strike out "thirty five hundred" wherever it occurs and insert "three thousand" in lieu thereof.

The committee amendment was adopted.

The bill was ordered engrossed by the following vote:

YEAS—17.

Burney,	Garwood,	Pope,
Carter,	Glasscock,	Simkins,
Clemens,	Harrison,	Sims,
Crane,	Kimbrough,	St. Johns,
Cranford,	Maetze,	Weisiger.
Frank,	Mott,	

NAYS—11.

Atlee,	Kearby,	Potter,
Clark,	Lubbock,	Tyler,
Finch,	McKinney,	Whatley.
Johnson,	Page,	

Senator Carter moved to suspend the constitutional rule requiring a bill to be read on three several days and that the bill pass to a third reading and final passage.

Adopted by the following vote:

YEAS—26

Atlee,	Garwood,	Mott,
Burney,	Glasscock,	Page,
Carter,	Harrison,	Pope,
Clark,	Johnson,	Potter,
Clemens,	Kearby,	Simkins,
Crane,	Kimbrough,	Sims,
Cranford,	Lubbock,	Stevens,
Finch,	Maetze,	Weisiger.
Frank,	McKinney,	

NAYS—2.

Tyler.	Whatley.
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The bill was read a third time and passed by the following vote:

YEAS—17.

Burney,	Garwood,	Pope,
Carter,	Glascock,	Simkins,
Clemens,	Harrison,	Sims,
Crane,	Kimbrough,	Stevens,
Cranford,	Maetze,	Weisiger.
Frank,	Mott,	

NAYS—11.

Atlee,	Kearby,	Potter.
Clark,	Lubbock,	Tyler.
Finch,	McKinney,	Whatley.
Johnson,	Page,	

Senator Harrison moved to adjourn to 10 a. m. tomorrow.

Lost.

Senator Pope moved to postpone pending business and take up out of its regular order Senate bill 205.

Senator Burney moved to adjourn to 10 a. m. tomorrow.

Adopted.

YEAS—15.

Burney,	Garwood,	McKinney,
Carter,	Harrison,	Mott,
Clark,	Johnson,	Simkins,
Cranford,	Kimbrough,	Sims,
Finch,	Maetze,	Stevens.

NAYS—11.

Clemens.	Lubbock,	Tyler.
Frank,	Page,	Whatley.
Glascock,	Pope,	Weisiger.
Kearby,	Potter.	